

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
October 3, 2011

A meeting of the Board of Examiners of Psychology was held at the Office of Occupations and Professions in Frankfort, KY on October 3, 2011.

MEMBERS PRESENT

Thomas W. Miller, Ph.D., Chair
Barbara K. Jefferson, Ph.D., Vice-Chair
Sally Brenzel, Psy.D.
William G. Elder, Ph.D.
Melissa Hall, M.S.
Eva Markham, Ph.D.
Danette Morton-Page, M.A.
Paula Glasford

OCCUPATIONS & PROFESSIONS STAFF

Julie Jackson, Board Administrator
Jeremy Horton, Deputy Executive Director

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General
Dr. Steve Katsikas
Liz McKune, (attending in Lisa Willner's absence)

MEMBERS ABSENT

Owen Nichols, Psy.D.

A meeting of the Kentucky Board of Examiners of Psychology, Complaint Committee, was called to order at 8:30 a.m., Monday October 3, 2011 at the Office of Occupations and Professions. A motion was made by Dr. Markham to go into closed session per KRS 61.810 (1)(c) and (j), seconded by Ms. Hall. A motion was made by Dr. Markham to come out of closed session, seconded by Ms. Hall. The committee meeting adjourned at 10:00 a.m.

CALL TO ORDER

Dr. Miller, Ph.D., Chair, called the meeting to order at 10:10 a.m. on October 3, 2011.

John Steffan, Executive Director, with the Executive Branch Ethics Commission, reviewed Ethical Requirements for Members of Executive Branch Boards and Commissions which was issued on May 27, 2008 by Governor Steven Beshear. This review covered topics such as Prohibition Against Self Dealing- No member of a state policy-making or regulatory board or commission, personally or through a business of which the member owns or controls an interest of more than five percent, or by any other person for the member's use or benefit (spouse), may hold or enjoy, in whole or in part, any contract, agreement, lease sale or purchase made, entered into, awarded, or granted by the board, commission, authority, council or committee on which he or she serves- Obligation to Disclose and Abstain and Acceptance of Gifts. Mr. Steffan explained that these ethical requirements are mandated by the Governor solely as to the appointment of the Board member under those ethical requirements but not required by law.

MINUTES

The minutes of the September 12, 2011 meeting were called to the attention of the Board. A motion was made by Dr. Elder to approve the minutes as amended. The motion, seconded by Dr. Markham, carried.

FINANCIAL REPORT & LEGAL FEES

Financial statement for the month ending September, 2011 and legal fees for August 2011 were presented to the Board. A motion was made by Dr. Markham to accept the financial statement and legal fees. The motion, seconded by Dr. Jefferson, carried.

O & P REPORT

Mr. Horton discussed the memo regarding the budget process. He requested that the Board advise of any projected budget costs and possible increases as soon as possible.

LEGAL MATTERS

The Complaints Screening Committee made a motion to go into closed session to discuss *Maggard v. Kentucky Board of Examiners of Psychology*, Franklin Circuit Court per KRS 61:810 (1) (c) and (j). The motion, seconded by Dr. Elder, carried.

A motion was made by Dr. Jefferson to return to open session. The motion, seconded by Dr. Markham, carried.

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – This matter is on-going with discovery in the Franklin Circuit Court and motion practice. The Stay entered by the Franklin Circuit Court and taken up on interlocutory appeal is pending in the Court of Appeals.
- Case 03-12 and 06-05 – A Notice of Administrative Hearing is being filed.
- Case 10-19 – Ongoing.
- Case 10-27 – A Notice of Administrative Hearing was filed. Mediation is scheduled for October 3, 2011.
- Case 10-30 – A motion was made by the Complaints Screening Committee to file a Notice of Administrative Hearing. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor.
- Case 11-03 A & B – Ongoing.
- Case 11-04 – Ongoing.
- Case 11-06 – The Complaints Screening Committee made a motion to approve the presented Settlement Agreement. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor.
- Case 11-07 – Ongoing.
- Case 11-08 – Ongoing.
- Case 11-09 – Ongoing.
- Case 11-10 – Ongoing.
- Case 11-13 – Ongoing. Dr. Markham recused herself from the discussion and left the room. She will complete a Conflict Statement form.
- Case 11-14 – The Complaints Screening Committee made a motion to investigate the case. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor. Dwight Auvenshine will serve as investigator. Dr. Markham will serve as Case Manager.

A discussion was held, regarding documentation submitted to the Complaints Screening Committee regarding a school psychologist in South Carolina, who is not licensed to practice psychology in Kentucky, nor who has the 30-day registration, has practiced in Kentucky by providing psychological services on a criminal defendant in Kentucky for a Kentucky court under Kentucky law. The Committee made a motion to initiate a complaint for allegedly practicing psychology without a license in Kentucky. The motion, seconded by Dr. Jefferson, carried. The Board voted with all in favor.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

COMMITTEE REPORTS

Supervision Committee – Dr. Elder made a motion to go into closed session per KRS 61:810 (1)(j) regarding adjudication on an individual licensee regarding James J. Cooksey, Ph.D., and Stuart Palmer, Psy.D. The motion, seconded by Dr. Jefferson, carried. A motion was made by Dr. Jefferson to return to open session. The motion, seconded by Ms. Morton-Page, carried.

Continuing Education Committee – Ongoing and routine monitoring.

Credentials Review Committee – Dr. Jefferson advised that she received clarification from a non citizen applicant discussed at the September meeting and the application has been approved.

Examination Committee – Dr. Brenzel requested that Board members review a vignette written by Ms. Hall and provide feedback.

Disciplined Psychologists Reports – The Board discussed the letter to James Cooksey regarding supervision.

EXPIRED LICENSURE REPORT

There were sixteen expired licenses for the month of May.

OLD BUSINESS

Retention schedule – Discussion was deferred to the November meeting.

NEW BUSINESS

Steve Katsikas – Dr. Katsikas joined the meeting to discuss a letter written by the Board to the American Psychological Association voicing the Board's concerns regarding Spalding University and issues regarding the University discovered during the trial of *KBEP v. Cooksey, James, J., Ph.D.* Mr. Katsikas updated the Board on the APA inquiry regarding Board concerns and advised that he wishes to have an open dialogue with the Board. He will forward Spalding's response to APA for Board review.

CONFLICTS

None

SCHEDULE NEXT MEETING

The next Board meeting will be held on November 10, 2011 at the Hilton, Downtown Lexington, KY.

TRAVEL AND PER DIEM

A motion was made by Ms. Glasford to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting. The motion, seconded by Dr. Markham, carried.

ADJOURNMENT

A motion made by Dr. Markham to adjourn the meeting at 12:00 p.m. The motion, seconded by Ms. Glasford, carried.

Thomas W. Miller, Ph.D. ABPP